

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3178-01  
Bill No.: SB 686  
Subject: Civil Procedure; Courts; Juvenile Courts; Judges; Public Records, Public Meetings  
Type: Original  
Date: December 27, 2001

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
 This fiscal note contains 3 pages.

---

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Office of State Courts Administrator (CTS)** assume the proposed legislation would include some record keeping provisions relating to the courts. However, CTS would not expect a fiscal impact as a result of the proposal.

Officials from the **Department of Social Services** assume there would be no fiscal impact on their agency as a result of the proposed changes to the Sunshine Law.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**FISCAL IMPACT - Small Business**

No direct fiscal impact to small businesses would be expected as a result of this proposal.

**DESCRIPTION**

The proposed legislation establishes that all pleadings, motions and other documents filed in civil cases are open public records, with limited exceptions. Certain records which are sealed under current law, such as records in juvenile cases and records of judicial disciplinary complaints where a investigation is conducted and no formal case is filed, remain sealed. The proposal authorizes judges to order that records be sealed if the requesting party can show that the request is narrowly tailored and that no less restrictive means exist to protect disclosure of prejudicial or confidential information and that: (a) the information is a trade secret; (b) the information would cause undue harm to a party; and (c) an interest exists which substantially outweighs the right of public access to the information.

DESCRIPTION (continued)

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator  
Department of Social Services



Jeanne Jarrett, CPA  
Director

December 27, 2001